

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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**Devon Seivers,**

**Court File No.: 09-CV-0816 (DSD/SER)**

**Plaintiff,**

**v.**

**DEFENDANTS' WITNESS  
LIST**

**City of Minneapolis, Minneapolis  
Police Officers James Bulleigh (Badge  
#08060) and Daniel Lysholm (Badge  
#4309), both individually and  
officially, John Does and other  
unnamed Police Officers, and Timothy  
Dolan, Chief of Minneapolis Police,  
personally and individually,**

**Defendants.**

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<b>PRESIDING JUDGE</b>  <b>Honorable David S. Doty</b>	<b>PLAINTIFF'S ATTORNEYS</b>  <b>Albert Goins, Sr., Esq.</b>	<b>DEFENDANTS' ATTORNEY</b>  <b>Gregory P. Sautter Darla J. Boggs Minneapolis City Attorney's Office 350 South 5th St., Room 210 Minneapolis, MN 55415 (612) 673-2553</b>
<b>TRIAL DATE (S)</b>	<b>COURT REPORTER</b>	<b>COURTROOM DEPUTY</b>

<b>Witness</b>	<b>Testify</b>	<b>Expert</b>
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Witness	Testify	Expert
<p>Officer Daniel Lysholm Room 130, City Hall 350 South Fifth Street Minneapolis, MN 612-673-2853</p>	<p>Defendant Officer Daniel Lysholm, a Minneapolis Bike Patrol Officer, will testify that he assisted Hennepin County Detectives while the Detectives were conducting a traffic stop of the Plaintiff on September 9, 2006. Lysholm will testify that he and his partner took no active roll in the arrest or detention of Plaintiff. He will testify as to the scope of his actions taken to assist Hennepin County Detectives; how he and his partner took no part in Plaintiff's arrest or detention; what he observed at the scene; how he and his partner assisted; why they stopped to assist; and how he and his partner waited for the tow truck to tow Plaintiff's vehicle to the impound lot.</p>	<p>No</p>
<p>Officer James Bulleigh Room 130, City Hall 350 South Fifth Street Minneapolis, MN 612-673-2853</p>	<p>Defendant Officer James Bulleigh, a Minneapolis Bike Patrol Officer, will testify that he assisted Hennepin County Detectives while the Detectives were conducting a traffic stop of the Plaintiff on September 9, 2006. Bulleigh will testify that he and his partner took no active roll in the arrest or detention of Plaintiff. He will testify as to the scope of his actions taken to assist Hennepin County Detectives; how he and his partner took no part in Plaintiff's arrest or detention; what he observed at the scene; how he and his partner assisted; why they stopped to assist; and how he and his partner waited for the tow truck to tow Plaintiff's vehicle to the impound lot.</p>	<p>No</p>

<p>John Cich Former Hennepin County Sheriff's Detective, now works as an investigator for the Federal Public Defender's Office</p>	<p>Mr. Cich will testify, that at as of September 9, 2006, he and his partner, Joseph Poidinger, were working in the Downtown Minneapolis for the Hennepin County Sheriff's department, and that they were working a SafeZone shift. He will testify that Plaintiff's vehicle was observed while sitting parked on 7<sup>th</sup> and Hennepin. Cich will testify that he and his partner observed what they believed to be drug transactions occurring in and or around Plaintiff's vehicle.</p> <p>Cich will testify that after Plaintiff's vehicle pulled away from the curb, it proceeded to 1<sup>st</sup> Avenue, where Plaintiff made a turn without signaling, whereupon Cich and his partner facilitated a traffic stop of Plaintiff's vehicle. Cich will testify he and his partner approached Plaintiff's vehicle, informed Plaintiff why he was stopped; and Plaintiff to step out of his vehicle. Cich will testify that after marijuana was found on Plaintiff's person, Plaintiff gave the Detectives permission to search his vehicle.</p>	
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<p>John Cich Former Hennepin County Sheriff's Detective, now works as an investigator for the Federal Public Defender's Office</p>	<p>Cich will testify Plaintiff was placed in his squad car, but prior to doing so, the back seat of the squad was inspected and searched for any contraband.</p> <p>Cich will testify that while Plaintiff was sitting in the squad car, a search of Plaintiff's vehicle was conducted, wherein additional marijuana and cash was found. At or about that time, Cich will testify that MPD Bike Officers Lysholm and Bulleigh came up to the scene of the traffic stop, and provided back up assistance.</p> <p>Cich will testify that Plaintiff was returned to his vehicle while a citation for marijuana possession was being prepared. While Cich and his partner were speaking with Plaintiff at his vehicle, Officer Bulleigh looked into the squad and called the Detective's attention to what appeared to be a quantity of crack cocaine in the backseat of the squad car. Cich will testify that after verifying what Bulleigh had seen, the two Detectives went back to Plaintiff's vehicle and arrested him.</p> <p>Cich will testify that Lysholm and Bulleigh took no part in the arrest or detention of Plaintiff, and had little or no interaction with Plaintiff. Cich will testify that they acted in a backup capacity, and waited for the tow truck to come and tow Plaintiff's vehicle after Poidinger and Cich took Plaintiff to the Hennepin County Adult Detention Center.</p>	
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<p>Former Hennepin County Sheriff's Detective, Joseph Poidinger, Henn Cty Sergeant</p>	<p>Sergeant Poidinger will testify that he on September 9, 2006, he was working as a Hennepin County Sheriff's Detective with his partner John Cich. on the afternoon of September 9, 2006. Poidinger will testify that he and his partner observed what they believed to be drug transactions occurring in and or around Plaintiff's vehicle, while it was observed at 7<sup>th</sup> and Hennepin.</p> <p>Poidinger will further testify that after Plaintiff's vehicle pulled away, he and his partner followed Plaintiff; and observed Plaintiff make a left turn without signaling. Poidinger will testify that he and his partner pulled Plaintiff over; questioned him about what they had previously observed, and asked to search Plaintiff's vehicle. Plaintiff consented, was asked to exit the vehicle, was pat searched, and admitted to smoking marijuana. Marijuana was found on his person, and Plaintiff further admitted that additional marijuana was inside his vehicle.</p> <p>Poidinger will testify that Plaintiff was secured and placed inside the Detective's squad car and will testify as to the scope of the search and what was found during the search.</p>	<p>No</p>
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<p>Former Hennepin County Sheriff's Detective, Joseph Poidinger, Henn Cty Sergeant</p>	<p>Poidinger will testify that during the stop of Plaintiff, MPD Bike Patrol Officers Lysholm and Bulleigh pulled up to the stop on their bikes and offered backup assistance. Poidinger will testify that after a citation was completed, and while they were going over the citation with Plaintiff at his vehicle, Bulleigh alerted the Detectives to what was suspected as contraband in the back of the Detective's squad car.</p> <p>After verifying the presence of contraband, Poidinger and Cich arrested Plaintiff, and requested a tow of Plaintiff's vehicle.</p> <p>Poidinger will testify that Lysholm and Bulleigh took no active roll in the arrest or detention of Plaintiff, and had little or not interaction with Plaintiff. Poidinger will testify that they acted in a backup capacity, and waited for the tow truck to come and tow Plaintiff's vehicle after Poidinger and Cich took Plaintiff to the Hennepin County Adult Detention Center.</p>	
<p>Nancy Trimbo Hennepin County Detention Deputy</p>	<p>Deputy Trimbo will testify that she was on duty the afternoon that Plaintiff was taken into jail. She will testify that Plaintiff was asked a series of questions prior to being booked into jail, and that the answers recorded were given by Plaintiff.</p>	<p>No</p>
<p>Devon Seivers Plaintiff</p>	<p>Plaintiff will testify as to his version of events on the afternoon of September 9, 2006, which resulted in his arrest for possession of crack cocaine.</p>	

Stephen McKean, CRA Investigator	CRA investigator, who investigated Plaintiff's CRA Complaint, took Plaintiff's CRA statement and those of Defendants Lysholm and Bulleigh. Mr. McKean will testify that many of Plaintiff's statements were inconsistent.	
Brandon Griffin	Brandon Griffin is Plaintiff's brother who allegedly witnessed a portion of the incident. Griffin may testify as to what he observed, but admits that he did not see Plaintiff being threatened or struck by either Defendants Lysholm or Bulleigh.	
Terrell Griffin	Terrell Griffin, Plaintiff's brother who also allegedly witness a portion of the incident. T. Griffin may testify as to what he observed, but admits that he did not see Plaintiff being threatened or struck by either Defendants Lysholm or Bulleigh.	
Kayavin Unger	Kayavin Unger, Plaintiff's acquaintance who allegedly witnessed a portion of the incident; he too may testify as to what he observed, but admits that he did not see Plaintiff being threatened or struck by either Defendants Lysholm or Bulleigh.	
Any witness listed on Plaintiff's witness list or necessary for rebuttal.		